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Lest Ye Forget/On Convention Program/Powers Of Appointment

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LEST YE FORGET

If you expect to attend the American Bar Association meeting at Detroit, Michigan, September 2nd and 3rd, please advise President Cupler at once.

ON CONVENTION PROGRAM

The program committee for the annual meeting announces that two of the men who have accepted invitations to speak are: Hon. Royal A. Stone, Justice of the Supreme court of Minnesota, and Hon. A. M. Christianson, Chief Justice of the Supreme court of North Dakota.

There will be other prominent speakers, outside the field of law, but announcement of their names can not be made at this time.

POWERS OF APPOINTMENT

There seems to be some difference of opinion concerning the method of selecting a successor to the Hon. E. F. Ladd, deceased United States Senator from this State; and, notwithstanding the fact that the press of the State has recently carried an announcement from the Governor's office to the effect that an appointment will be made prior to the opening of the next session of Congress, and that such announcement, undoubtedly, came after consultation with attorneys of unquestionable character and good standing; nevertheless, we feel impelled to the expression and publication of our humble opinion that the Executive of this state has not the power of filling the vacancy created by the death of Senator Ladd.

Though men may differ in their interpretation of the Sections of the Federal Constitution and the State Constitution touching upon the matter, or may argue about the intent of the Legislature when it passed Chapter 249 of the Session Laws of 1917 (amending Section 696 of the Compiled Laws of 1913); yet, the very fact that the Legislature (Section 1034 Laws of 1913) refused to extend the power of appointment in cases of legislative vacancies arising during a session of the legislature, and has never changed the language of Section 1033 of the Compiled Laws of 1913, indicates a rather strong desire, at least, on the part of the Legislature to reserve the power of filling vacancies in Congress and in the Legislature to the electorate.

Section 1033 of the 1913 Laws appeals to us as being rather clear and definite. It reads:

"And when any vacancy occurs in the office of a member of congress from this state, it shall be the duty of the governor to issue his proclamation appointing a day to hold a special election to fill such vacancy."

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| <p>1925 ANNUAL MEETING Fargo, September 9th BRING THE LADIES</p> |
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